

BQC-93-050

Date: August 17, 1993
To: Nursing Homes
Hospice Agencies
From: Judy Fryback, Director
Bureau of Quality Compliance
Subject: Minimum Data Set (MDS)

BQC-93-050
NH 29
HSPCE 11

The Bureau has recently received inquiries regarding the applicability of the federal requirements at 42 CFR 483.20 (Resident Assessment) for hospice patients residing at a nursing facility under a hospice contract.

The Health Care Financing Administration (HCFA) has confirmed to us that the requirements found at 42 CFR 483.20 are applicable to all residents in certified long term care facilities. Even though a SNF or NF is the hospice patient's residence, for purposes of the hospice benefit, the facility must still comply with the requirements for participation in Medicare and/or Medicaid. This means that the resident must be assessed, have a plan of care and be provided with the services required under the plan of care. This result can be achieved through cooperation between the hospice and facility staff with the consent of the resident.

To fulfill federal requirements at 42 CFR 483.20, each time a comprehensive assessment is required, long term care facilities must complete:

- MDS (minimum data set) or the core set of items that makes up the state Resident Assessment Instrument (RAI); and
- RAP (Resident Assessment Protocol) Summary Form, on which facilities must indicate which RAPs have been triggered and the location of information gathered during the RAP review process.
- Clinical information, e.g., assessment information, from the RAP review to assist in care planning.

If you have any questions, please contact your Field Operations Manager.

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